

REMARKS

Favorable reconsideration and allowance of the present application is respectfully requested.

Claims 1-19, 21-22, and 31-37 remain pending in the present application, including independent claims 1, 12-14, and 31. Independent claim 1, for instance, is directed to a surface-modified glove. The glove comprises an elastomeric matrix in the shape of a glove that receives a human hand therein. The matrix has an inside surface for contact with a human hand received within the glove and an outside surface. A plurality of colloidal silica particles are adhered to at least a portion of the outside surface of the matrix and partially embedded therein without extending through the thickness of the matrix.

In the Office Action, independent claim 13 was allowed. Further, claims 6-9 and 14-19 were deemed allowable if rewritten into independent form. Applicant notes, however, that claim 14 is already in independent form. Thus, it is respectfully submitted that claims 14-19 are allowable.

Further, independent claims 1, 12, and 31 were initially rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Without commenting on the propriety of this rejection, it is believed that the present claims 1, 12, and 31 satisfy all of the requirements of §112. Independent claims 1, 12, and 31 were also rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 5,932,299 to Katoot in view of U.S. Patent No. 3,787,229 to Rudness.

Katoot is directed to a method for modifying the surface of an object using infrared radiation, microwave radiation, or high-voltage polymerization to increase the lubricity, hydrophilicity, hydrophobicity, and/or biofunctionality of the surface. (Col 7, ll. 54-61). As correctly noted by the Examiner, however, Katoot fails to teach colloidal silica particles that are "partially embedded" in the outer surface of an elastomeric matrix, as required by independent claims 1, 12, and 31.

Nevertheless, Katoot was combined with Rudness in an attempt to render obvious claims 1, 12, and 31. Rudness relates to materials having a low-friction, wear-resistant surface. Specifically, Rudness relates to a material having at least one outer layer of highly densified, uniformly disposed spheroidal to spherical shaped wear-resistant particles, protruding outward from a matrix secured to a metallic or non-metallic substrate. (Col 2, ll. 30-39). One example of a suitable wear-resistant particle is said to include silica (SiO_2).

Applicant respectfully submits, however, that no motivation would have existed to combine Rudness with Katoot. Namely, Rudness relates to component parts of the textile industry, such as rolls, pins, guides, and the like. (Col 1, ll. 17-20). On the other hand, Katoot relates to the modification of structures, such as fabrics, medical devices, steel structures, etc. (Cols 1-2). Based on the vast differences between these references, one of ordinary skill in the art would simply not have been motivated to combine certain aspects of Rudness with Katoot. In the Office Action, it was suggested that the motivation to combine Rudness with Katoot stemmed from the "Abstract" of Rudness. Specifically, Rudness is designed to provide wear-resistant characteristics to

component parts of the textile industry. (Col 1, ll. 17-20). The surface of these parts must withstand the breakage and heat build-up often associated with contacting fibers. (Col 1, ll. 32-67). On this basis, the following was set forth in the Office Action:

It is deemed desirable to make gloves having wear resistance in order to reduce the likelihood of holes/tears forming in the gloves during use.

However, the “wear resistance” referred to in Rudness results from the wearing of fibers on various textile component parts, such as pins, rolls, guides, etc. This type of “wear resistance” is of no concern for the gloves of independent claims 1, 12, and 31. That is, the gloves are not subjected to the same type of stresses and conditions as the textile component parts of Rudness. For this reason, one of ordinary skill in the art would simply not have found it obvious to combine Rudness with Katoot.

Other characteristics of Rudness also teach away from the combination proposed in the Office Action. For instance, independent claim 12 requires that the silica particles be affixed to the outside surface of the elastomeric matrix “without any separate binder.” On the other hand, Rudness specifically requires a binder to adhere the wear-resistant particles to a substrate. (See e.g., Cols 3-4). When viewed in its entirety, one of ordinary skill in the art would not have been motivated to combine selected aspects of Rudness with Katoot without using a “separate binder”, as expressly taught by Rudness.

Applicant emphasizes that the teachings of the references must be viewed in their entirety, i.e., as a whole, to sustain a *prima facie* case of obviousness under 35 U.S.C. §103(a). Further, the appropriate test under 35 U.S.C. §103(a) is not whether

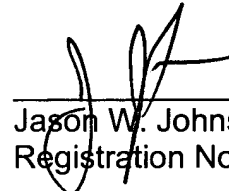
the differences between the prior art and the claims are obvious, but instead whether the claimed invention as a whole would have been obvious. The differences between a particular claim and the cited references cannot be viewed in a vacuum. In this case, Applicant respectfully submits that, when properly viewed as a whole, there is simply no motivation to combine the references in the manner suggested in an attempt to render obvious the present claims. Thus, for at least the reasons set forth above, Applicant respectfully submits that independent claims 1, 12, and 31 patentably define over the above-cited references, taken alone or in any proper combination.

Thus, Applicant respectfully submits that the present claims patentably define over all of the prior art of record and satisfy all of the requirements of 35 U.S.C. §112. It is believed that the present application is in complete condition for allowance and favorable action, therefore, is respectfully requested. Examiner Nolan is invited and encouraged to telephone the undersigned, however, should any issues remain after consideration of this response.

Please charge any additional fees required by this Amendment to Deposit Account No. 04-1403.

Respectfully requested,

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